

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

| | | |
|---------------------------|---|---------------------|
| THE CITY OF HUNTINGTON, |) | No. 3:17-01362 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Hon. David A. Faber |
| |) | |
| AMERISOURCEBERGEN DRUG |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |
| CABELL COUNTY COMMISSION, |) | No. 3:17-01665 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Hon. David A. Faber |
| |) | |
| AMERISOURCEBERGEN DRUG |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

**PLAINTIFFS' NOTICE OF ORAL VIDEOTAPED EXPERT DEPOSITION
OF TIMOTHY R. DEER, M.D.**

PLEASE TAKE NOTICE that, pursuant to the applicable Federal Rules of Civil Procedure and the Deposition Protocol governing this litigation, Plaintiffs, by and through the undersigned counsel, will take the oral videotaped deposition of Timothy R. Deer, M.D., on September 21, 2020, beginning at 9:00 a.m. Eastern Daylight Time. Court reporting services and video recording services will be provided by Golkow Global Litigation Services via alternative video teleconferencing (VTC) services (Zoom). Parties who wish to access the deposition are asked to contact scheduling@golkow.com, which will provide access codes prior to the deposition.

This deposition shall be videotaped and recorded stenographically and will continue from day to day until completed before a person duly authorized to administer oaths who is not counsel of record or interested in the events of this case. Plaintiffs reserve the right to seek additional time pursuant to any failure by Defendants to timely provide any supporting materials or data related to the expert report of Dr. Deer.

The oral examination is to be taken for purposes of discovery, for use at trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure, the local rules of the United States District Court for the Southern District of West Virginia, and all Pretrial Orders and Case Management Orders entered by this Court. Court reporting services and video recording services will be provided by Golkow Global Litigation Services.

A request for records is attached as Exhibit A.

DATED: September 9, 2020

THE CITY OF HUNTINGTON

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EXHIBIT A

Pursuant to the Rule 26(e) of Federal Rules of Civil Procedure, this will serve as a request for the Deponent to supplement his Rule 26(a)(2) report and produce the following documents prior to or at the deposition:

1. All documents or other materials you reviewed since the date of your report that you have not specifically identified in your report in preparation for your expected testimony.
2. A statement of the compensation to be paid for your study and testimony in this case.
3. A copy of the most current and accurate *curriculum vitae* (C.V.) as of the date of your deposition.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 9, 2020, a copy of the foregoing **PLAINTIFFS' NOTICE OF ORAL VIDEOTAPED EXPERT DEPOSITION OF TIMOTHY R. DEER, M.D.**, has been filed electronically using the Court's CM/ECF system and will be served via the Court's CM/ECF filing system, which will send notification of such filing to the attorneys of record at their e-mail addresses on file with the Court.

s/ Anthony J. Majestro
ANTHONY J. MAJESTRO